

21 April 1959

BRIEF FOR THE CIA CAREER COUNCIL
(Presentation by Director of Personnel)

**SUBJECT: Administrative Considerations in Connection with the
Proposed Agreement with the CSC for the Movement of
Personnel between CIA and the Civil Service System**

1. In considering the various administrative aspects of an inter-agency agreement between the Civil Service Commission and the Central Intelligence Agency which would provide greater flexibility for the movement of interested CIA personnel into the competitive Civil Service system, only the most significant benefits are listed:

a. Any CIA employee can be considered for appointment at the discretion of an Agency appointing officer for positions in the competitive Civil Service, on a non-competitive basis, in the same manner that employees already in the competitive service may be considered for transfer to such positions. CIA employees will be granted competitive status on a non-competitive basis. This equality of opportunity is now available only to CIA employees who already have status.

b. All types of position vacancies immediately become available for employment consideration. Under current requirements, non-status Agency employees must apply under "open" CSC examinations. Application processing and rating presently averages four months before a candidate's name is placed on a CSC register. However, it is almost impossible to predict the additional length of time it would require before a given candidate's name is certified to a Federal agency. Two basic considerations are involved: (1) the scarcity of qualified personnel in the labor market, an index to the activity of the register, and (2) the maintenance of the CSC register in an active status—many CSC registers have become dormant as a result of 10-point veterans (who may not always be the best qualified) blocking the registers due to various Federal agencies refusing to accept them for appointments (10-point veterans are given a 10% additional score added to their basic score, which places them near the top of the quality group that they are in.)

c. This agreement will cut down on the length of "lead time" required to out-place Agency personnel. Successful Federal out-placement is impeded by the problem of "closed" examinations. Persons not having competitive status cannot be considered for such vacancies, and these examinations may be closed for several years. For example, the Administrative and Executive Officer (EC-11) Examination was closed in 1953, and, as a consequence, no person who was not on that register (or already had competitive status) could be

considered for GS-13 through GS-15 Administrative and Executive Officer positions. This condition existed for 5 1/2 years until September 1958 when the Federal Administrative and Management Examination was opened. On the intelligence specialist examination side, the military services have had numerous vacancies over the last several years for which some of our employees could have qualified. However, our employees were blocked by lack of status or availability on the register. The upshot of this situation was that Army Chief of Staff (G-2) opened a Military Intelligence Research Specialist Examination in February 1959 and has been flooded with hundreds of applications.

d. Under the new Federal Merit Promotion Program, additional employment opportunities are apparent in other Federal agencies, provided CIA employees could be covered by the proposed agreement. While a Federal agency may limit the areas of consideration for possible candidates for its vacancies, once it has found it must extend its areas of consideration because of lack of candidates, CSC regulations provide that "the agency must evaluate all qualified voluntary applicants." Out-Placement is currently seeking all available data on these position vacancies through personal liaison. (This information is not generally available except to interested employees of the agency concerned.) As a "pilot" case, Out-Placement had a top-flight Agency official file under one of these announcements, and he was offered the position over all candidates of that agency. Succinctly, the Federal Merit Promotion Program (established as of 1 January 1959) can provide more immediate transfer and promotion opportunities to Agency employees if an agreement with CSC is accomplished.

e. Federal agencies in the competitive service have control over 86% of the total number of Federal position. The majority of Out-Placement candidates of this Agency are definitely interested in Federal employment opportunities and, if this is any indication, it is easy to surmise why AEC, TVA, Panama Canal Company, the White House, the Legislative and Judicial Branches all decided that it was advantageous to broaden the employment opportunities of their employees. This has been accomplished through CSC agreements, Executive Orders, and legislation.

f. CIA employment may be considered as being even more attractive if such an agreement would provide Federal-wide mobility.

2. Also for consideration are the Civil Service requirements which CIA must be prepared to meet. This would be the first time that the CSC would have assumed an evaluating role of the CIA Personnel Program, which may be considered the major deterrent to this proposal. However, the major CSC requirements are as follows:

a. CIA would have to indicate that it had a sound Personnel Program in operation. Evidence of this, according to CSC, would be the issuance of appropriate Agency regulations and operational compliance thereto.

b. CIA must give a reasonable amount of external publicity to CIA requirements in order to ensure that there is present an element of open competition for CIA positions. There would be no requirement that wide publicity would have to be given; however, employment information should be available in those areas and institutions where it could be assumed that qualified applicants would be. (This is currently being done in the broadest terms.)

c. CIA has developed and is applying reasonable qualifications standards. (Currently, CIA qualifications standards are, in some cases, higher than the CSC standards.)

d. As the CIA is under the Veterans' Preference Act of 1944, CIA must have a written policy on veterans' preference with respect to initial selection. The CSC would be interested in the internal application of this veterans' preference policy. (This would involve some modifications of the current administrative handling of applications and the certification of applicants to operating components for internal consideration.)

e. CIA must provide evidence that its Medical and Security requirements are applied uniformly and that political affiliations are not considered.

The CSC evaluates the total Personnel Program of the agency but does not expect any agency to conform 100% to the CSC's requirements, except with respect to veterans' preference. The CSC must be in a position to reach a sound conclusion that the Agency does have a sound merit system in operation. Based upon this, they will be in a position to sanction an interchange agreement which is, in effect, a certification that the CIA selection process is generally comparable to that of the CSC.

Considerations Involved In Reaching an Agreement with the Civil Service Commission Which Would Provide For the Movement of Personnel Between CIA and the Civil Service System Comparable to that Existing Between the Civil Service Commission and the Atomic Energy Commission.

I. Civil Service - Atomic Energy Agreement

Employees in either System may be appointed to the other subject to the following conditions:

A. Employee to be transferred must be in a continuing position under the following type of appointment.

1. AEC

- a. Regular Appointment (Excepted)
- b. Regular Appointment (Excepted) (Conditional)

2. Civil Service

- a. Career Appointment
- b. Career - Conditional

B. Qualification Requirements

- 1. AEC - Must meet Civil Service Qualifications Standards and requirements for position for which to be appointed.
- 2. Civil Service - Must meet regular standards established by AEC for the position.

C. Length of Service Requirement Before Transfer

- 1. AEC - Must have served continuously for one year immediately before.
- 2. Civil Service - Must have completed one year probational period under Career or Career - Conditional appointment.

D. Selection

1. AEC - Employees of AEC are hired at the discretion of the appointing officer of the other organization. *by AEC*
2. Civil Service - Civil Service employees are hired on the basis of their qualifications for positions to be filled without regard to order of selection within qualification categories provided for in the special plan approved by CSC for AEC.

E. Type of Appointment after Movement

1. AEC - Career or Career Conditional in new Agency depending upon whether they meet the 3 year service requirement. (Service on an AEC regular appointment either (excepted) or (excepted) - (conditional) is creditable for the 3 years.
2. Civil Service employees will receive with AEC:
 - a. AEC Regular (excepted) appointment.
 - b. AEC Regular (excepted) (conditional) appointment.

F. Probational or Trial Periods

1. AEC - No new trial period.
2. Civil Service - No new trial period.

G. Status

1. AEC - AEC employee receives competitive civil service status in new Agency. Thereafter entitled to all benefits and privileges provided by CSC rules for persons with civil service status.

2. Civil Service - Whatever privileges are normally provided by AEC to persons who initially receive AEC regular (excepted) or (excepted) (conditional) appointments.

II. Advantages of a Similar Agreement For CIA

- with a regular excepted appointment*
- A. Any CIA employee, with more than one year of service immediately prior to the time of transfer could be appointed to a position in the competitive service in another Agency at the discretion of the appointing officer of the other Agency provided he met qualification standards and requirements for the position.

1. Such an agreement would:

- a. Place substantially all CIA employees on an equal footing with status employees (career or career-conditional) of other agencies for inter agency transfer purposes.
- b. Would circumvent the regular civil service examining process which is very slow moving, time consuming and inflexible.
- c. Would place non-civil service status 10 point veterans, 5 point veterans and non-veterans on an equal footing for transfer purposes, and would provide the individual with competitive status without regard to veterans' preference.
- d. Would open up all types of position vacancies presently not open to non-Civil Service status employees except through Civil Service examinations. Civil Service Examination is unfeasible for the following reasons.
 - (1) Examinations are announced at infrequent intervals
may
(Period of years in most instances).

- (2) Register resulting from examinations are blocked by 10 point veterans who automatically go to the top if they receive a passing grade in the examination in addition to receiving an additional 10 points.
- e. The amount of lead time for out-placement would be considerably reduced.
- B. Additional employment opportunities would open up in other federal agencies through participation in the ~~new~~ "Federal Merit Promotion Program".
- C. 86% of the total number of federal positions are in the competitive service.
- D. AEC, TUA, Panama Canal Company, the White House, and the Legislative and Judicial Branches have broadened the employment opportunities of their employees through CSC agreements, Executive Orders, and legislation.
- E. CIA employment may be considered as being even more attractive if such an agreement would provide Federal wide mobility.

III. Disadvantages of a Similar Agreement for CIA.

- A. The disadvantages are principally centered around the loss of *autonomy* ~~autonomy~~ the Agency presently enjoys in the field of personnel management. An agreement of this type would bring about a close ^{er} relationship between CIA and the Civil Service Commission which would very likely result in the following:
1. The Civil Service Commission would evaluate the overall CIA Personnel Program.
 2. Additional regulations would have to be developed and administered to cover Civil Service requirements under such an agreement.

3. The Civil Service Commission would, ^{periodically} inspect CIA ^{personnel} records ^{for} ~~and~~ conference periodically.
4. CIA would have to give some external publicity to CIA requirements in order to ensure that there is present an element of open competition for CIA positions.
5. CIA has developed and is applying reasonable qualifications standards. (Currently CIA qualifications standards are, in some cases, higher than CSC standards)
6. AS CIA is under the Veterans' Preference Act of 1944, CIA ^{would have} written policy on Veterans' Preference with respect to initial selection. (This would involve some modification of the current administrative handling of applications and the certification of applicants to operating components for internal consideration. Also, certain identical positions such as Guard, Messenger, ^{which} etc., are restricted to veterans, the CSC would review the expediency of these positions.
7. Before reaching agreement ~~with~~ the CSC would have to be assured that the CIA selection process is generally comparable to that of the CSC.
8. CIA must provide evidence that its Medical and Security requirements are applied uniformly and that political ~~affiliations~~ ^{affiliations} are not considered.

d. RETIREMENT BOARD

Numerous commercial and Governmental establishments now have formal programs to bring under review the status and future prospects of personnel approaching voluntary retirement ages. In some cases such arrangements take the form of Retirement Boards or Committees, composed of senior staff and operating officials of the companies or agencies concerned. Reports of the functioning of these activities indicate that programmed deliberations at this level are often successful in bringing about voluntary retirements upon attainment of age and service levels which provide entitlements to full annuities. Such board or committee arrangements are generally supplemented by formal staff programs for providing assistance to the boards and to employees in pre-retirement planning work. The overall result of these programs is to clarify, in a systematic way, the continued roles which persons may expect to have in the organization as they approach retirement age, and to provide on a planned basis for their transition from careers in the organization to other spheres of activity.

Statement of functioning of D/Pers. Board. General Secretariat & full time.

e. CONVERSION OF STAFF EMPLOYEES TO CAREER AGENT STATUS

Among intelligence officers in grades 12 through 15 there are a number of capable operators who could very well spend the remainder of their active careers overseas under non-official cover. This is not a large group. It is recognized that a considerable effort will be required to convert these men to career agent status. However, with official cover shrinking, the return to an overcrowded headquarters of the field's excess personnel and the requirement to cut, we should once more review the possibilities

It is proposed that the D/Pers. Board be authorized to establish a retirement board.